

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MAKE THE ROAD NEW YORK, AFRICAN
SERVICES COMMITTEE, ASIAN AMERICAN
FEDERATION, CATHOLIC CHARITIES
COMMUNITY SERVICES (ARCHDIOCESE
OF NEW YORK), and CATHOLIC LEGAL
IMMIGRATION NETWORK, INC.,

Plaintiffs,

- against -

KEN CUCCINELLI, in his official capacity as
Acting Director of United States Citizenship and
Immigration Services; UNITED STATES
CITIZENSHIP & IMMIGRATION SERVICES;
KEVIN K. McALEENAN, in his official capacity
as Acting Secretary of Homeland Security; and
UNITED STATES DEPARTMENT OF
HOMELAND SECURITY,

Defendants.

Case No. 1:19-cv-07993

NOTICE OF MOTION

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 65 and 5 U.S.C. § 705, and upon the accompanying Declarations of Robert J. O’Loughlin, Leighton Ku, Diane Whitmore Schanzenbach, Ryan Allen, Jennifer van Hook, Kim Nichols, Jo-Ann Yoo, C. Mario Russell, Theo Oshiro, Charles Wheeler, Haeyoung Yoon, and the exhibits annexed thereto, plaintiffs, by their undersigned attorneys, will move this Court, on a date and at a time to be determined by the Court, at Courtroom 11A, Daniel Patrick Moynihan United States Courthouse, 500 Pearl St., New York, NY 10007-1312, for an order, pending a final judgment in this action, (i) preliminarily enjoining defendants from implementing a rule promulgated by the Department of Homeland Security titled Inadmissibility on Public Charge Grounds, 84 Fed. Reg. 41,292 (Aug. 14, 2019) (to be codified at 8 C.F.R. pts. 103, 212, 213, 214, 245, 248) (the

“Rule”), or taking any actions to enforce or apply it; (ii) postponing the effective date of the Rule; and (iii) such additional relief as the Court considers just.

Dated: New York, New York
September 9, 2019

By: /s/ Jonathan H. Hurwitz

**PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP**

Andrew J. Ehrlich
Jonathan H. Hurwitz
Robert J. O’Loughlin
Daniel S. Sinnreich
Amy K. Bowles (*admission pending*)

1285 Avenue of the Americas
New York, New York 10019-6064
(212) 373-3000
aehrich@paulweiss.com
jhurwitz@paulweiss.com
roloughlin@paulweiss.com
dsinnreich@paulweiss.com
abowles@paulweiss.com

CENTER FOR CONSTITUTIONAL RIGHTS

Ghita Schwarz
Brittany Thomas
Baher Azmy

666 Broadway
7th Floor
New York, New York 10012
(212) 614-6445
gschwarz@ccrjustice.org
bthomas@ccrjustice.org
bazmy@ccrjustice.org

THE LEGAL AID SOCIETY

Susan E. Welber, Staff Attorney, Law Reform Unit
Kathleen Kelleher, Staff Attorney, Law Reform Unit
Susan Cameron, Supervising Attorney, Law Reform Unit
Hasan Shafiqullah, Attorney-in-Charge, Immigration Law Unit

199 Water Street, 3rd Floor
New York, New York 10038
(212) 577-3320
sewelber@legal-aid.org
kkelleher@legal-aid.org
scameron@legal-aid.org
hhshafiqullah@legal-aid.org

*Attorneys for Plaintiffs Make the Road New York, African
Services Committee, Asian American Federation, Catholic
Charities Community Services (Archdiocese of New York), and
Catholic Legal Immigration Network, Inc.*